

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 05-11576-DPW

PARTNERS HEALTHCARE
SYSTEM, INC.,

Defendant.

/

UNITED STATES' NOTICE OF ORDER GRANTING INTERLOCUTORY APPEAL

Comes now the United States and notifies this Court that the United States Court of Appeals for the Seventh Circuit has granted the United States' Petition for Permission to Appeal Pursuant to 28 U.S.C. §1292(b) in the case of University of Chicago v. United States, District Court docket number 05-5120. The Seventh Circuit has not yet assigned a docket number to this case. A copy of the Seventh Circuit's Order granting the United States' petition is attached. The

student exception issue in this case is identical to the student exception issue decided in
University of Chicago.

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/s/ stephen t. lyons
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CERTIFICATE OF SERVICE

IT IS HEREBY CERTIFIED that service of the foregoing UNITED STATES' NOTICE OF SUPPLEMENTAL AUTHORITY has this 12th day of April, 2007, been electronically filed with the Clerk of the District Court using its CM/ECF system.

/s/ stephen t. lyons
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United States Court of Appeals

For the Seventh Circuit
Chicago, Illinois 60604

April 11, 2007

Before

Hon. MICHAEL S. KANNE, Circuit Judge

Hon. ANN CLAIRE WILLIAMS, Circuit Judge

Hon. DIANE S. SYKES, Circuit Judge

IN RE:

UNITED STATES OF AMERICA,
Petitioner.

No. 07-8003

] Petition for Permission
] to Appeal Pursuant to
] U.S.C. 1292(b).
] Northern District of
]
] 05 C 5120
]
] Northern District of
] Illinois, Eastern Division.
]
] Matthew F. Kennelly,
] Judge.

The following are before the court:

1. **PETITION FOR PERMISSION TO APPEAL PURSUANT TO 28 U.S.C. 1292(b)**, filed on February 2, 2007, by counsel for petitioner.
2. **RESPONSE OF THE UNIVERSITY OF CHICAGO HOSPITALS TO UNITED STATES' PETITION FOR PERMISSION TO APPEAL PURSUANT TO U.S.C. 1292(b)**, filed on February 20, 2007, by counsel.

IT IS ORDERED that #1 is **GRANTED**. The petitioner in this appeal is the United States of America, thus the appellate filing fee is waived. The clerk of this court shall enter the appeal on this court's general docket.